



03630.000143.

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

32

In re Application of:

LAURENCE A. LAVENDEL, et al.

Application No.: 08/944,435

Filed: October 6, 1997

For: USER INTERFACE FOR
IMAGE ACQUISITION
DEVICES

Examiner: S. Luu

Group Art Unit: 2173

December 20, 2002

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Technology Center 2100

Commissioner for Patents
Washington, D.C. 20231

REQUEST TO WITHDRAW ERRONEOUS ABANDONMENT

Sir:

Applicants have received a Notice of Abandonment dated November 19, 2002 indicating that the above application became abandoned for failure to file a proper reply under 37 C.F.R. § 1.113(a) to the final rejection.

In fact, Applicants filed a Notice of Appeal and Petition for a three-month Extension on May 20, 2002, , using the certificate of mailing procedures set forth at 37 C.F.R. § 1.8, by mailing those papers in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231, and deposited with the U.S. Postal Services with sufficient first class postage. A copy of the Notice Of Appeal and Petition is attached at Exhibit A. A copy of a stamped postcard receipt acknowledging the USPTO's receipt of the Notice of Appeal and Petition on May 23, 2002 is attached at Exhibit B, and copies of

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on Dec 20 2002 (Date of Deposit)

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130.00 OP

Michael K. O'Neill

Name of Attorney for Applicant

Signature

Date of Signature

Michael K. O'Neill Dec 20 2002

*original
copies of paper
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the checks in the amounts of \$320.00 (Notice of Appeal fee) and 920 (three-month Extension fee) are attached at Exhibit C.

In view of the foregoing submissions, it is respectfully submitted that a proper response to the final rejection under 37 C.F.R. § 1.113(a) was timely filed, and it is respectfully requested to withdraw the Notice of Abandonment as erroneous.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 32622

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